

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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U.S. DISTRICT COURT E.D.N.Y.

★ FEB 11 2019 ★

BROOKLYN OFFICE

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JEUNGSANDO OF AMERICA, INC., a
religious corporation, and MYUNG SUN
YOO,

Plaintiffs,

-against-

JEUNG SAN CHAM SHIN AHNG, an
unincorporated association of a religious nature
also known as JEUNG SAN WORLD, also
known as JEUNGSANWORLD, SANG
KYUN RO, HEUN SOON LEE, DANIEL
JOE, DANIEL EVANCHO, KARYS
DALSOOK MA, JOHN DOES, XYZ
COMPANIES, AND SUK NAM LEE,

Defendants.

NOT FOR PUBLICATION
ORDER

15-CV-6400 (CBA) (VMS)

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AMON, United States District Judge:

Plaintiffs Jeungsando of America, Inc. and Myung Sun Yoo bring this suit against Defendants, including pro se Defendant Karys Dalsook Ma, principally asserting claims for copyright infringement and defamation. (D.E. # 4 (Am. Compl.)) Plaintiffs have moved for an order dismissing the action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2).¹ (D.E. # 141.) Ma opposes dismissal or, alternatively, seeks dismissal with prejudice. (D.E. # 147.) The Court referred the motion to the Honorable Vera M. Scanlon, United States Magistrate Judge, who on December 6, 2018, submitted a Report and Recommendation ("R&R") recommending that the Court grant Plaintiffs' motion to dismiss the action without prejudice. (D.E. # 149.)

¹ Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties stipulated to the dismissal with prejudice of the only other defendant to appear in this action. (D.E. #s 136, 141.)

No party has objected to the R&R, and the time for doing so has passed. When deciding whether to adopt an R&R, a district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). To accept those portions of the R&R to which no timely objection has been made, “a district court need only satisfy itself that there is no clear error on the face of the record.” Jarvis v. N. Am. Globex Fund, L.P., 823 F. Supp. 2d 161, 163 (E.D.N.Y. 2011) (internal quotation marks omitted).

The Court has reviewed the record and, finding no clear error, adopts the well-reasoned R&R as the opinion of the Court. Accordingly, the Court grants Plaintiffs’ motion and dismisses the action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2).

The Court directs the Clerk of Court to close this case and to transmit a copy of this order to pro se Defendant Ma at the following address: 300 South Hobart Blvd., Suite 400, Los Angeles, CA 90020.

SO ORDERED.

Dated: February 11, 2019
Brooklyn, New York

s/Carol Bagley Amon
Carol Bagley Amon
United States District Judge